

STATEMENT CLAIMING SMALL ENTITY STATUS

no such person, concern, or organization exists. each such person, concern, or organization is listed below.

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## Docket Number (Optional) (37 CFR 1.9(f) & 1.27(c))-SMALL BUSINESS CONCERN Applicant, Patentee, or Identifier: OptiMight Communication Application or Patent No.: Filedorlssued Filed October 12 1999 Tide: Multichannel Optical Communication System and Method utilizing wavelength and coherence division multiplexing the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the concern identified below: NAMEOFSMALLBUSINESSCONCERN OptiMight Communication ADDRESSOFSMALLBUSINESSCONCERN 980 Linda Vista Avenue <u> Mountain View. California 94043</u> I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416. I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in: the specification filed herewith with title as listed above. the application identified above. the patent identified above. If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). Each person, concern, or organization having any rights in the invention is listed below:

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Ilya M. Fishman							
TITLE OF PERSON IF OTHER THAN OWNER President and CTO							
ADDRESS OF PERSON SIGNING 980 Linda Vista Ave, Mountain View, CA							
ADDRESS OF PERSON SIGNING 980 Linda Vista Ave, Mountain View, CA SIGNATURE DATE 1012.99							

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



the specification of which



## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## MULTICHANNEL OPTICAL COMMUNICATION SYSTEM AND METHOD UTILIZING WAVELENGTH AND COHERENCE DIVISION MULTIPLEXING

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(Check one)	X	is attached heret was filed on	to.	20		
	Appl	ication Serial No.		as		
		d amended on	•	(if app	licable).	
			nderstand the contents or referred to above.	of the above identified spec	ification, includ	ding the
			formation which is maral Regulations, §1.56.	aterial to the examination	of this applica	ation ir
for patent or i	nventor's	certificate listed b	below and have also idea	ates Code, §119(a)-(d) of an ntified below any foreign a ication on which priority is	pplication for p	
Prior Foreign	Applicati	ion(s)			Priority Cl	aimed
N/A					Yes	No.
(Num	iber)	(Country)	(Day/Month/Year File	ed)		
					Yes	No.
(Num	iber)	(Country)	(Day/Month/Year File	ed)		
					Yes	No.
(Num	iber)	(Country)	(Day/Month/Year File	ed)		
I hereby clair applications(s			e 35, United States C	code, §119(e) of any Unit	ted States pro	visiona
	-	N/A				
		(Application S	Serial No.)	(Filing Date)		
	-	(Application :	Serial No.)	(Filing Date)	•	
and, insofar a application in duty to disclo	s the subjo the mann se materia iling date	ect matter of each ter provided by th al information as o of the prior appli	of the claims of this appeted first paragraph of Title	20 of any United States app plication is not disclosed in e 35, United States Code, §1 e of Federal Regulations, §1 or PCT international	the prior Unite I 12, I acknowle	d States
(Application Ser	rial No.)		(Filing Date)	[Status-patented, per	nding, abandoned)	)
(Application Ser	rial No.)		(Filing Date)	(Status-patented, pe	(Status-patented, pending, abandoned)	





I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office contacted therewith:

## Bella Fishman #37,485

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Address all correspondence to:

Full Name of First and Joint Inventor:
Ilya M. Fishman

Inventors Signature:

Ilya M.Fishman, President OPTIMIGHT COMMUNICATION 980 Linda Vista Avenue Mountain View, CA 94043

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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